

Document #4534

12/20/84

MEMORANDUM

December 20, 1984

TO: BOSTON REDEVELOPMENT AUTHORITY
 FROM: STEPHEN COYLE, DIRECTOR
 SUBJECT: BOARD OF APPEAL REFERRALS

Recommendations on fourteen zoning matters have been prepared by Authority staff for transmittal to the Board of Appeal.

<u>Referral</u>	<u>Approval</u>	<u>Recommendation</u>	
		<u>Denial</u>	<u>Denial w/o Prejudice</u>
Routine minor deviations	5		
Minor dwelling unit increases	7	1	
Parking; gas stations; repair garages		1	

We recommend approval of five routine minor deviations.

- Z-7313: 4 Atkins and 677 Washington Streets, Brighton. Front porch would be enclosed for use of invalid homeowner. Abutters support. Design review proviso.
- Z-7384: 86 Chandler Street, Boston. Replace existing basement utility room of three unit structure with kitchen. Floor area violation minimal. No adverse effect.
- Z-7392: 524 Metropolitan Avenue, Hyde Park. Addition to two-family dwelling will provide family room for owner-occupant. No abutter response. Design review proviso.
- Z-7394: 109-111 Tremont Street, Brighton. Erect dumpster pad and six-foot fence. Dumpster pad will service multi unit (62) apartment dwelling, half of which are elderly units. Proviso for daily maintenance and design review for placement and landscaping.
- Z-7391: 136-138 Neponset Avenue, Dorchester. Addition to funeral home will provide better public access. Design review proviso.

We recommend approval of seven minor dwelling rent increases.

- Z-7381: 196-198 Marlborough Street, Boston. Erect three-story addition and change occupancy from offices and dormitory to offices and four apartments. Rear addition will create owner-occupancy. Provisos: Addition be consistent with existing structure, fire balconies be provided as egress, design be approved by Back Bay Architectural Commission.

- Z-7386: 54 Mystic Street, Charlestown. Legalize occupancy at two-family dwelling and erect two-story addition. No record of legal occupancy. Two-family dwelling compatible with multi-family neighborhood. No abutter response. Design review proviso.
- Z-7389: 290 K Street, South Boston. Change occupancy from two to three-family dwelling. Proposal consistent with residential neighborhood. No abutter response. Design review proviso.
- Z-7390: 17 Appleton Street, Boston. Legalize occupancy as two-family dwelling. No record of legal occupancy. Multi-family residential neighborhood. Roof patio and rear patio mitigate open space deficiency. Design review proviso.
- Z-7393: 54 Creighton Street, Jamaica Plain. Legalize occupancy, as four apartments. Condition existing since time of purchase in 1980. Proviso: Design review for exterior changes. No abutter response.
- Z-7395: 329 Gallivan Boulevard, Dorchester. Petition will legalize six apartment occupancy existing at the time of purchase last February. No abutter response.
- Z-7426-
7428, &
Z-7429: 200-204 Columbia Road, Dorchester and 42 Holborn Street, Roxbury. Blighted buildings will be significantly improved and restored to productive occupancy (26 apartments) for low and moderate-income persons. Funding by Boston Housing Partnership, Inc., and MHFA. Design review proviso.

We recommend denial of two cases.

- Z-7374-
7379: 48-66 Vineland Street and 267 North Beacon Street, Brighton. Erect five two-family dwellings and a two-story office building. Project is inappropriate, excessive, congested. Traffic problems would be intensified. Developer-community meeting failed to resolve use density, design concerns.
- Z-7387: 640 Hyde Park Avenue. Increase gasoline storage capacity to 24,000 gallons. In 1979, Board of Appeal with Authority concurrence denied without prejudice increase to 18,000 gallons and in 1980 also with Authority concurrence, denied increase to 20,000 gallons. Concerns were appearance, operation, maintenance, storage capacity, potential hazards, and landscaping. Current community concerns are similar.

BOARD OF APPEAL REFERRALS

December 20, 1984

Hearing

1. Z-7313 not yet scheduled William Sorvillo
4 Atkins and 677 Washington Streets,
Brighton
2. Z-7374-7379 1/8/85 Nardella & Salvucci Construction Co.
48-66 Vineland and 267 North Beacon
Streets, Brighton
3. Z-7381 1/8/85 Charles M. Talanian, Trustee
16 Exeter Street Realty Trust
196-198 Marlborough Street, Boston
4. Z-7384 1/8/85 New England Renovations Corp.
86 Chandler Street, Boston
5. Z-7386 1/8/85 Carol A. McClellan
54 Mystic Street, Charlestown
6. Z-7387 1/8/85 Sebastian Avellino
640 Hyde Park Avenue, Roslindale
7. Z-7389 1/8/85 William F. and Denise Carr
290 K Street, South Boston
8. Z-7390 1/8/85 Philip A. and Renate L. Ricardi
17 Appleton Street, Boston
9. Z-7391 1/8/85 Philip M. O'Donnell
136-138 Neponset Avenue, Dorchester
10. Z-7392 1/8/85 John Fucillo
524 Metropolitan Avenue, Hyde Park
11. Z-7393 1/8/85 Michael Graham
54 Creighton Street, Jamaica Plain
12. Z-7394 1/8/85 Brighton Gardens Apartments
109-111 Tremont Street, Brighton
13. Z-7395 1/8/85 Craig and Patricia McNaught
329 Gallivan Boulevard, Dorchester
14. Z-7426-7429 1/8/85 Quincy-Geneva Housing Corp.
200-204 Columbia Road, Dorchester
42 Holborn Street, Roxbury

MEMORANDUM

December 20, 1984

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Stephen Coyle, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: not yet scheduled

Z-7313
William Sorvillo
4 Atkins and 677 Washington Streets
Brighton

Existing
at site: Two-story structure

Purpose of
petition: Enclose porch - two-family dwelling.

District(s)
and Uses(s): Site is in residential two-family (R-.5) district.
Two-family dwelling is allowed in this district.

Violation(s):

Floor area ratio is excessive.

Front yard is insufficient.

Petition would enable invalid homeowner to better utilize existing porch.
Abutters support proposal. Recommend approval with proviso.

VOTED: In reference to petition Z-7313, William Sorvillo.
4 Atkins Street and 677 Washington Street, Brighton,
for two variances to enclose porch of two-family
dwelling in a residential (R-.5) district, the
Boston Redevelopment Authority recommends approval
with the following proviso: that plans be submitted
to the Authority for design review approval. Peti-
tion would enable homeowner who is an invalid to
utilize existing porch.



Z-7313

4 ATKINS ST.

677 WASHINGTON ST.

BRIGHTON

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7374-7379

Nardella & Salvucci Construction Co.
48-66 Vineland Street and 267 North Beacon
Street, Brighton

Existing
at site: 23,720 square feet of land

Purpose of
petition: Erect five two-family dwellings and a two-story office building.

District(s)
and Uses(s): Site is in residential two-family (R-.5) district.
Two-family dwelling is allowed, office building is forbidden,
in this district.

Violation(s):

Office building is forbidden use.

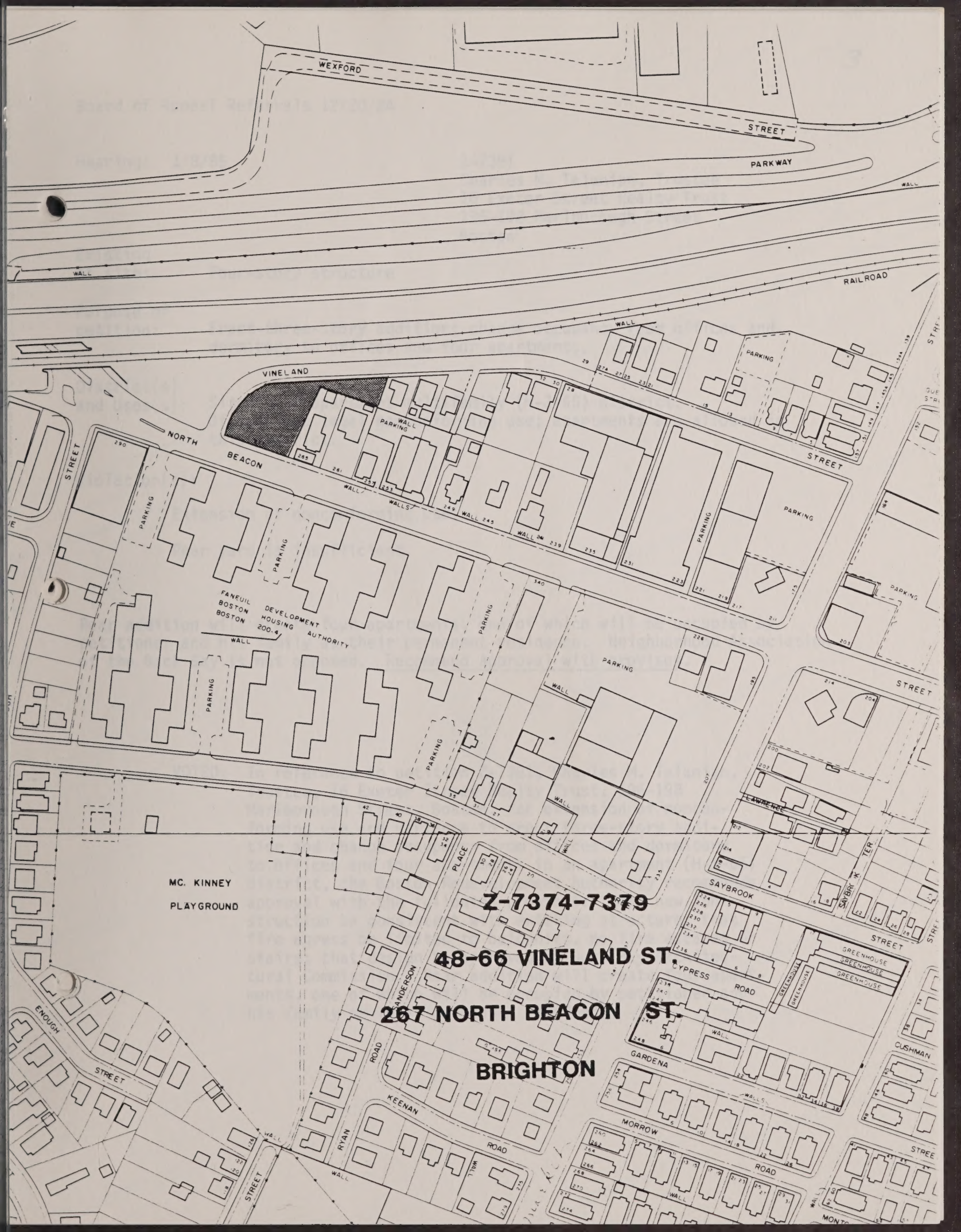
Parking is not allowed within required front yard nor within five
feet of side lot line.

Lot area and width, distance between buildings, off-street parking,
and front, side, and rear yards are insufficient.

Floor area ratio, height, and number of stories are excessive.

Project is inappropriate, congested. Townhouses are excessive and poorly
sited, parking spaces are too small, office building is unwanted commercial
encroachment, traffic problems would be intensified. Developer-community
meeting failed to resolve use, density, design concerns. Recommend denial.

VOTED: In reference to petitions Z-7374-7379, Nardella &
Salvucci Construction Co., 48-66 Vineland Street and
267 North Beacon Street, Brighton, for a forbidden
use and sixty-five variances to erect five two-family
dwellings and a two-story office building in a resi-
dential (R-.5) district, the Boston Redevelopment
Authority recommends denial. Project is inappropriate,
congested. Townhouses are excessive and poorly sited,
parking spaces are too small, office building is
unwanted commercial encroachment, traffic problems
would be intensified. Developer-community meeting
failed to resolve use, density, design concerns.



WEXFORD

STREET

PARKWAY

RAILROAD

VINELAND

NORTH

BEACON

STREET

FANEUIL
BOSTON
BOSTON
DEVELOPMENT
HOUSING
200.4
AUTHORITY

MC. KINNEY
PLAYGROUND

Z-7374-7379

48-66 VINELAND ST.

267 NORTH BEACON ST.

BRIGHTON

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7381

Charles M. Talanian, Trustee
16 Exeter Street Realty Trust
196-198 Marlborough Street
Boston

Existing
at site: Four-story structure

Purpose of
petition: Erect three-story addition; change occupancy from offices and
dormitory to offices and four apartments.

District(s)
and Uses(s): Site is in apartment multifamily (H-3-65) district.
Offices are legal nonconforming use; apartments are allowed in
this district.

Violation(s):

Extension of nonconforming use.

Rear yard is insufficient.

Rear addition will create four apartments, one of which will be occupied by
petitioner and his family as their permanent residence. Neighborhood Association
of the Back Bay is not opposed. Recommend approval with provisos.

VOTED: In reference to petition Z-7381, Charles M. Talanian,
Trustee, 16 Exeter Street Realty Trust, 196-198
Marlborough Street, Boston, for extension of noncon-
forming use and variance to erect three-story addi-
tion and change occupancy from offices and dormitory
to offices and four apartments in an apartment (H-3-65)
district, the Boston Redevelopment Authority recommends
approval with the following provisos: that new con-
struction be consistent with existing structure; that
fire egress be limited to balconies, no fire escapes or
stairs; that design be approved by Back Bay Architec-
tural Commission. Rear addition will create four apart-
ments, one of which will be occupied by petitioner and
his family as their permanent residence.



STORROW

LAGOON

STORROW

DRIVE

FAREFIELD

STREET

STREET

AVENUE

Z-7381

196-198 MARLBOROUGH ST.

BOSTON

PRINCE SCHOOL

NEWBURY

COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF EDUCATION

COPLEY METHODIST CHURCH

MEMORIAL

BEACON

MARLBOROUGH

COMMONWEALTH

COMMONWEALTH

PARK

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85 -

Z-7384
New England Renovations Corp.
86 Chandler Street
Boston

Existing
at site: Two-story structure

Purpose of
petition: Increase apartment unit space.

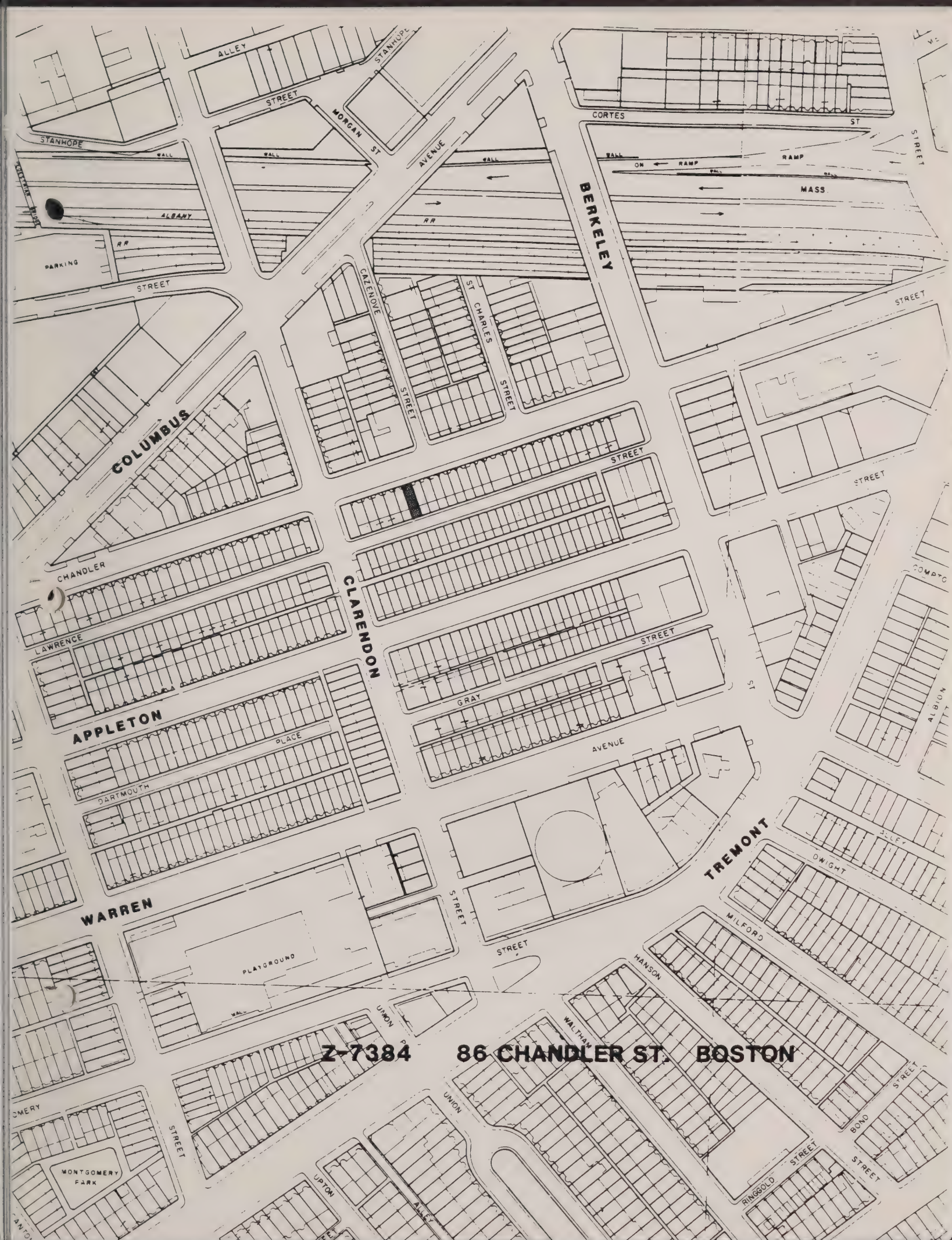
District(s)
and Uses(s): Site is in apartment multifamily (H-3) district.
Three apartments are allowed use in this district.

Violation(s):

Floor area ratio is excessive.

Appellant would replace existing basement utility room with kitchen.
Floor area violation would be minimal. No adverse effect. Recommend approval with proviso.

VOTED: In reference to petition Z-7384, New England Renovations Corp., 86 Chandler Street, Boston, for a variance to increase apartment unit space in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Appellant would replace existing basement utility room with kitchen. Floor area violation would be minimal. No adverse effect.



Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7386
Carol A. McClellan
54 Mystic Street
Charlestown

Existing
at site: Three-story structure

Purpose of
petition: Legalize occupancy - two-family dwelling; erect two-story new
addition

District(s)
and Uses(s): Site is in apartment multifamily (H-1) district.
Two-family dwelling is allowed in apartment district.

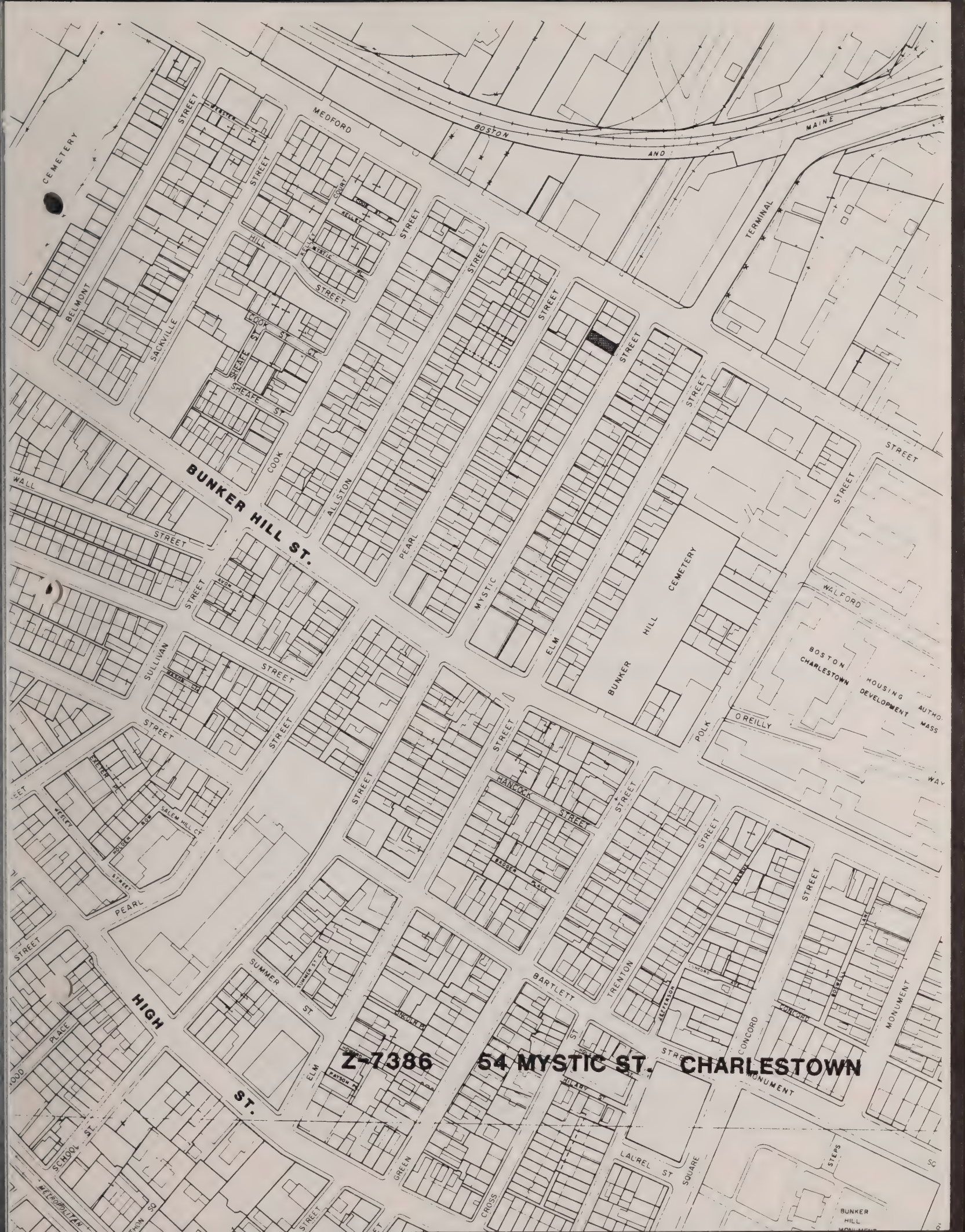
Violation(s):

Floor area ratio is excessive.

Open space and rear yard are insufficient.

No record of legal occupancy. Two-family dwelling is compatible with
multifamily neighborhood. Addition will provide kitchen and bedroom.
No response from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-7386, Carol A. McClellan,
54 Mystic Street, Charlestown, for three variances to
legalize occupancy as two-family dwelling and erect
two-story addition in an apartment (H-1) district,
the Boston Redevelopment Authority recommends approval
with the following proviso: that plans be submitted
to the Authority for design review approval. There is
no record of legal occupancy. Two-family dwelling is
compatible with multifamily neighborhood. Addition
will provide kitchen and bedroom.



Z-7386

54 MYSTIC ST. CHARLESTOWN

6
Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7387
Sebastian Avellino
640 Hyde Park Avenue
Roslindale

Existing
at site: Gas service station

Purpose of
petition: Increase underground gasoline storage capacity from 7,000
to 24,000 gallons.

District(s)
and Uses(s): Site is in residential two-family (R-.5) and local business (L-.5)
districts.
Gas service station is nonconforming use.

Violation(s):

Extension of nonconforming use.

In 1979, Board of Appeal with Authority concurrence denied without prejudice
petition to increase capacity to 18,000 gallons, and in 1980, also with Authority
concurrence, denied petition to increase capacity to 20,000 gallons. Community
concerns were appearance, operation, and maintenance of facility, junk cars,
storage capacity, potential hazards, landscaping.

Currently, community has expressed similar concerns. Recommend denial without
prejudice.

VOTED: In reference to petition Z-7387, Sebastian Avellino, 640
Hyde Park Avenue, Roslindale, for extension of nonconforming
use to increase underground gasoline storage capacity from
7,000 to 24,000 gallons in residential (R-.5) and local
business (L-.5) districts, the Boston Redevelopment Authority
recommends denial without prejudice. In 1979, with Authority
concurrence, the Board of Appeal denied without prejudice
petition to increase capacity to 18,000 gallons, and in 1980,
also with Authority concurrence, denied petition to increase
capacity to 20,000 gallons. Community concerns were appear-
ance, operation, and maintenance of facility, junk cars,
storage capacity, potential hazards, landscaping. Currently,
community has expressed similar concerns.

Authority supports conversion of old storage tanks to new
fiberglass tanks in order to reduce safety hazards of fuel
and vapor leakage and groundwater contamination. However,
there are several concerns related to tripling the capacity
of the storage tank including increased service capacity/demand,
particularly in view of existing poor maintenance of site.
These issues must be resolved with Authority and community
before any conversion is approved.



Z-7387 640 HYDE PARK AVE. ROSLINDALE

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7389
William F. and Denise Carr
290 K Street
South Boston

Existing
at site: Three-story structure

Purpose of
petition: Change occupancy from two- to three-family dwelling.

District(s)
and Uses(s): Site is in apartment multifamily (H-1-50) district.
Conversion is forbidden use.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area and open space are insufficient.

Conversion would be consistent with residential neighborhood. Proposed renovations will significantly improve property. No response from community. Recommend approval with proviso.

VOTED: In reference to petition Z-7389, William F. and Denise Carr, 290 K Street, South Boston, for a forbidden use and two variances for change of occupancy from two- to three-family dwelling in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Conversion will be consistent with residential neighborhood. Proposed renovations will significantly improve property.



HEAVEN
EL B
HIGH
SCHOOL
(RC)

GATE
OF
HEAVEN
CHURCH
(RC)

STREET

MINNIE CT

K ST FIRE
STATION

EAST

EMERSON

CHURCH OF OUR
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OL

ENJAMIN
DEAN
SCHOOL
(EL)

HENDERSON AVE

SIXTH

ST. PETER
SCHOOL
(EL)

STREET

BECKLER AVENUE

EAST

BURRILL PLACE

SEVENTH

WEBB PK

STREET

EAST

SPRINGER STREET

BREWSTER STREET

STREET

BAYVIEW PL

EAST

NORCROSS PL

HART PLACE

ROAD

STREET

Z-7389
290 K ST.

MARINE ROAD

EAST

HATCH STREET

SOUTH BOSTON

COLUMBIA

BOULEVARD

ROAD

DEADY S LANE

MARINE

TICKNOR STREET

STREET

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85 -

Z-7390
Philip A. and Renate L. Ricardi
17 Appleton Street
Boston

Existing
at site: Three-story structure

Purpose of
petition: Legalize occupancy - two-family dwelling.

District(s)
and Uses(s): Site is in apartment (H-3) multifamily district.
Conversion is conditional use.

Violation(s):

Dwelling converted for more families is conditional use.

Open space is insufficient.

No record of legal occupancy. Multifamily residential neighborhood.
Roof deck and rear patio would tend to mitigate open space deficiency.
Recommend approval with provisos:

VOTED: In reference to petition Z-7390, Philip A. and Renate L. Ricardi, 17 Appleton Street, Boston, for a conditional use and a variance to legalize occupancy as two-family dwelling in an apartment (H-3) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans be submitted to the Authority for design design review approval; that plans be reviewed by South End Historical Society. Site is in restricted roof structure district. There is no record of legal occupancy. Roof deck and rear patio would tend to mitigate open space deficiency.



Z-7380

17 APPLETON ST. BOSTON

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7391
Philip M. O'Donnell
136-138 Neponset Avenue
Dorchester

Existing
at site: 2½-story structure

Purpose of
petition: Erect addition to funeral home.

District(s)
and Uses(s): Site is in residential three-family (R-.8) district.
Funeral home is legal nonconforming use.

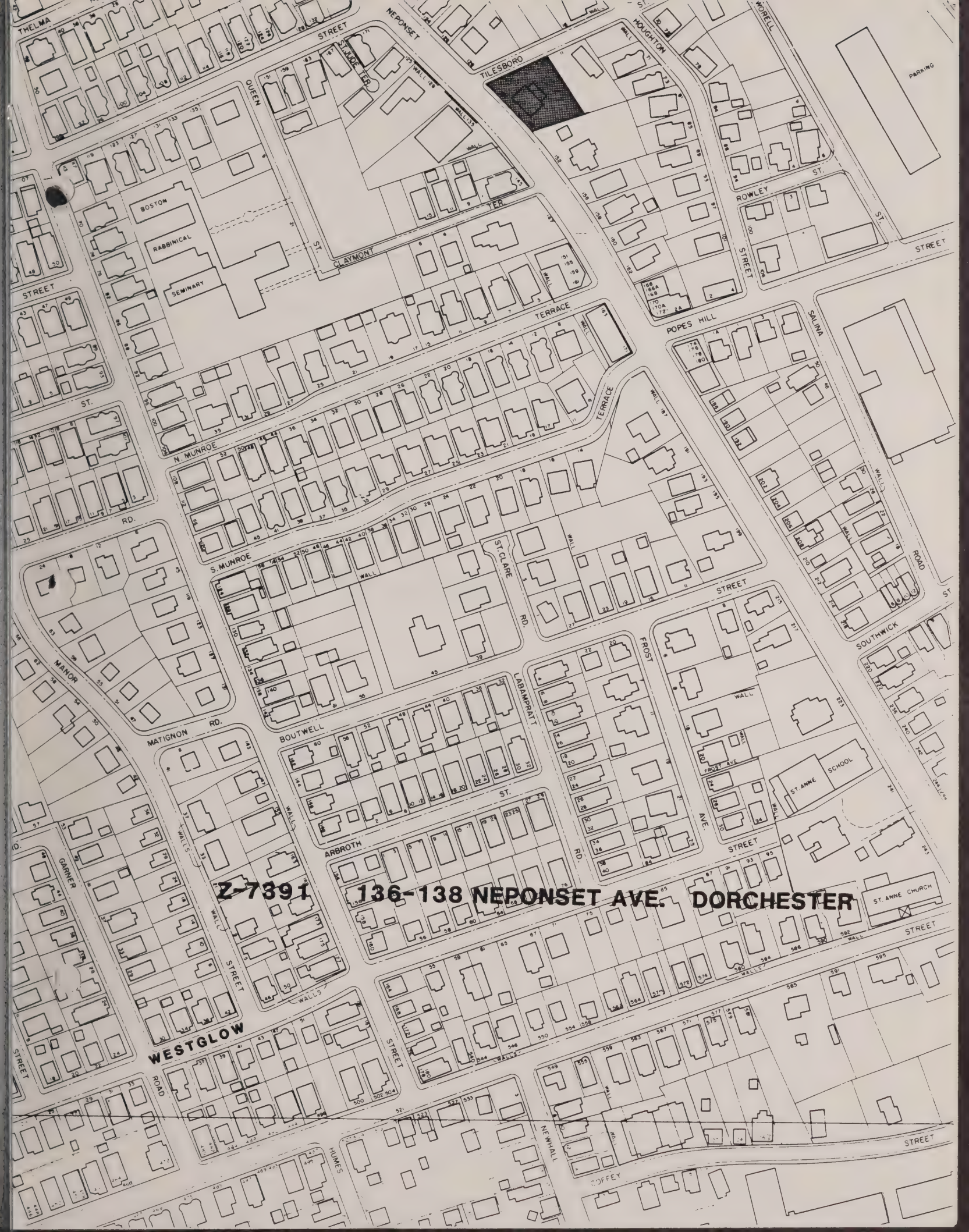
Violation(s):

Extension of nonconforming use.

Front yard is insufficient.

Addition replacing existing sunporch will provide better access for public.
Community response favorable. Recommend approval with proviso.

VOTED: In reference to petition Z-7391, Philip M. O'Donnell, 136-138 Neponset Avenue, Dorchester, for extension of nonconforming use and variance to erect addition to funeral home in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Addition will provide better public access.



Z-7391

136-138 NEPONSET AVE. DORCHESTER

WESTGLOW

ST. ANNE SCHOOL

ST. ANNE CHURCH

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7392
John Fucillo
524 Metropolitan Avenue
Hyde Park

Existing
at site: 2½-story structure

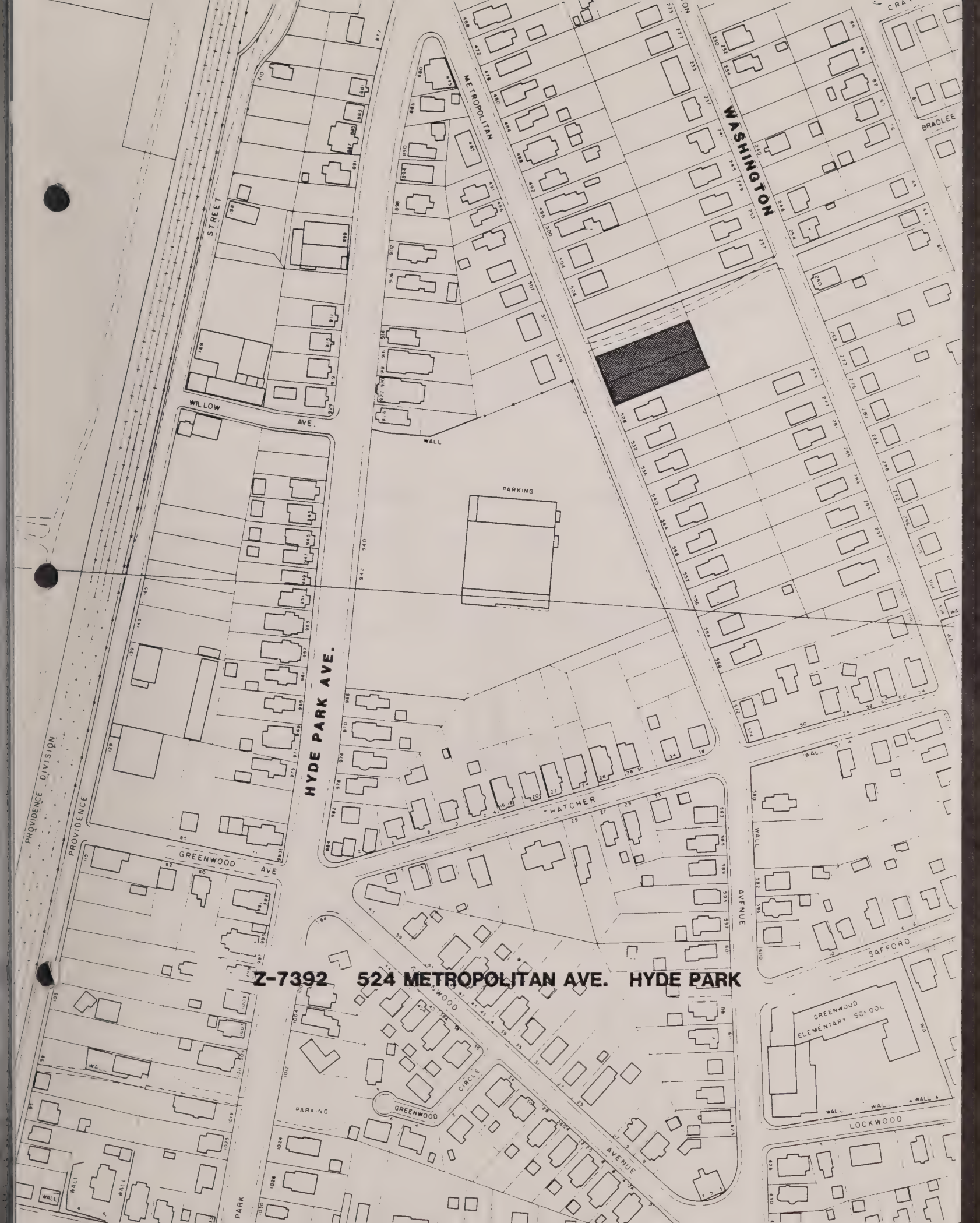
Purpose of
petition: Erect addition to two-family dwelling.

District(s)
and Uses(s): Site is in single-family (X-.5) district.
Two-family dwelling is legal nonconforming use.

Violation(s):
Extension of nonconforming use.

Addition to front of structure will provide family room for owner-occupant.
No response from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-7392, John Fucillo, 524 Metropolitan Avenue, Hyde Park, for extension of nonconforming use to erect addition to two-family dwelling in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Addition will provide family room for owner-occupant.



Z-7392 524 METROPOLITAN AVE. HYDE PARK

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7393
Michael Graham
54 Creighton Street
Jamaica Plain

Existing
at site: 2½-story structure

Purpose of
petition: Legalize occupancy - four apartments; erect porch additions.

District(s)
and Uses(s): Site is in residential three-family (R-.8) district.
Conversion is forbidden use.

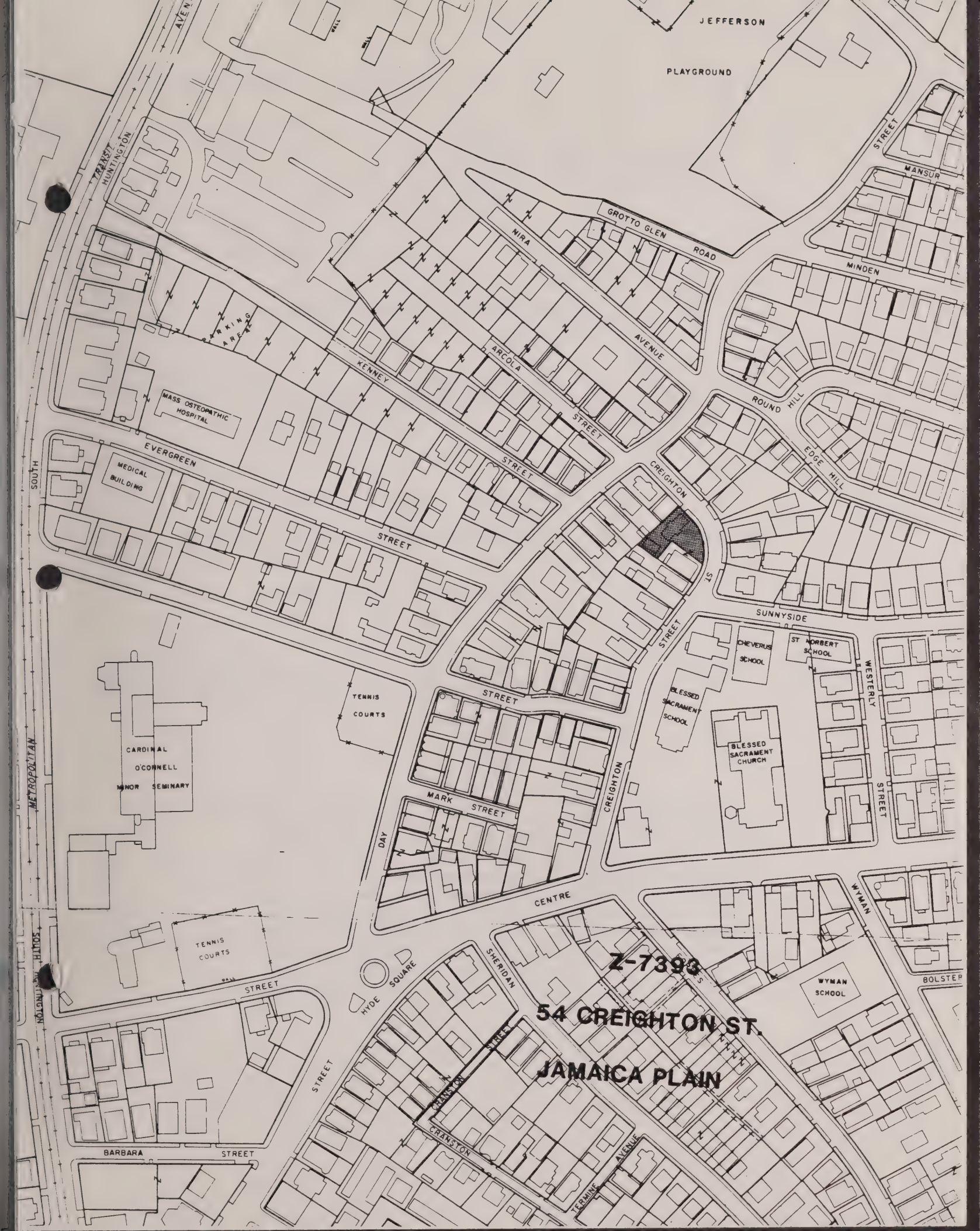
Violation(s):

Dwelling converted for more families is forbidden use.

Lot area and side yard are insufficient.

No record of legal occupancy. Condition was existing at time of purchase in 1980. No response from abutters. Recommend approval with proviso.

VOTED: In reference to petition Z-7393, Michael Graham, 54 Creighton Street, Jamaica Plain, for a forbidden use and two variances to legalize occupancy for four families and erect porch additions in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans for exterior changes be submitted to the Authority for design review approval. There is no record of legal occupancy. Condition was existing at time of purchase in 1980.



Z-7393

54 CREIGHTON ST.

JAMAICA PLAIN

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7394
Brighton Gardens Apartments
109-111 Tremont Street
Brighton

Existing
at site: Four-story structure

Purpose of
petition: Erect dumpster pad and six-foot fence.

District(s)
and Uses(s): Site is in single-family (S-.5) district.
62-unit apartment building granted by Board of Appeal in
November 1971.

Violation(s):

Accessory outdoor storage is forbidden use.

Accessory use shall not occupy any part of required front and
side yards.

Front and side yards are insufficient.

Dumpster will service multi-unit (62) apartment building, of which half of the
units are for elderly. Recommend approval with provisos.

VOTED: In reference to petition Z-7394, Brighton Gardens
Apartments, 109-111 Tremont Street, Brighton, for
a forbidden use and three variances to erect dumpster
pad and six-foot fence in a single-family (S-.5) dis-
trict, the Boston Redevelopment Authority recommends
approval only with the following provisos: that
plans, inclusive of placement and landscaping, be
submitted to the Authority for design review approval;
that the dumpster and immediate area be maintained
daily. Dumpster will service multi-unit apartment
dwelling, of which half of the units are for elderly.

Z-7394

109-111 TREMONT ST.

BRIGHTON



Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7395
Craig and Patricia McNaught
329 Gallivan Boulevard
Dorchester

Existing
at site: 2½-story structure

Purpose of
petition: Change occupancy from four to six apartments.

District(s)
and Uses(s): Site is in residential two-family (R-.5) district.
Four apartments are legal nonconforming use.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area and open space are insufficient.

Petition will legalize condition existing at time of purchase last February.
No response from abutters. Recommend approval.

VOTED: In reference to petition Z-7395, Craig and Patricia McNaught, 329 Gallivan Boulevard, Dorchester, for a forbidden use and two variances for change of occupancy from four to six apartments in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Petition will legalize condition existing at time of purchase last February.



Z-7395

329 GALLIVAN BLVD. DORCHESTER

Board of Appeal Referrals 12/20/84

Hearing: 1/8/85

Z-7426-7429
Quincy-Geneva Housing Corp.
200-204 Columbia Road, Dorchester
42 Holborn Street, Roxbury

Existing
at site: Four three-story structures

Purpose of
petition: Change occupancy from 3 and 5 apartments and store to 6 and
6 apartments (#200 and #204), from 4 to 5 apartments #202), and
from 6 to 9 apartments (Holborn Street).

District(s)
and Uses(s): Sites are in apartment multifamily (H-1) and residential three-family
(R-.8) districts.
Conversions are forbidden uses.

Violation(s):

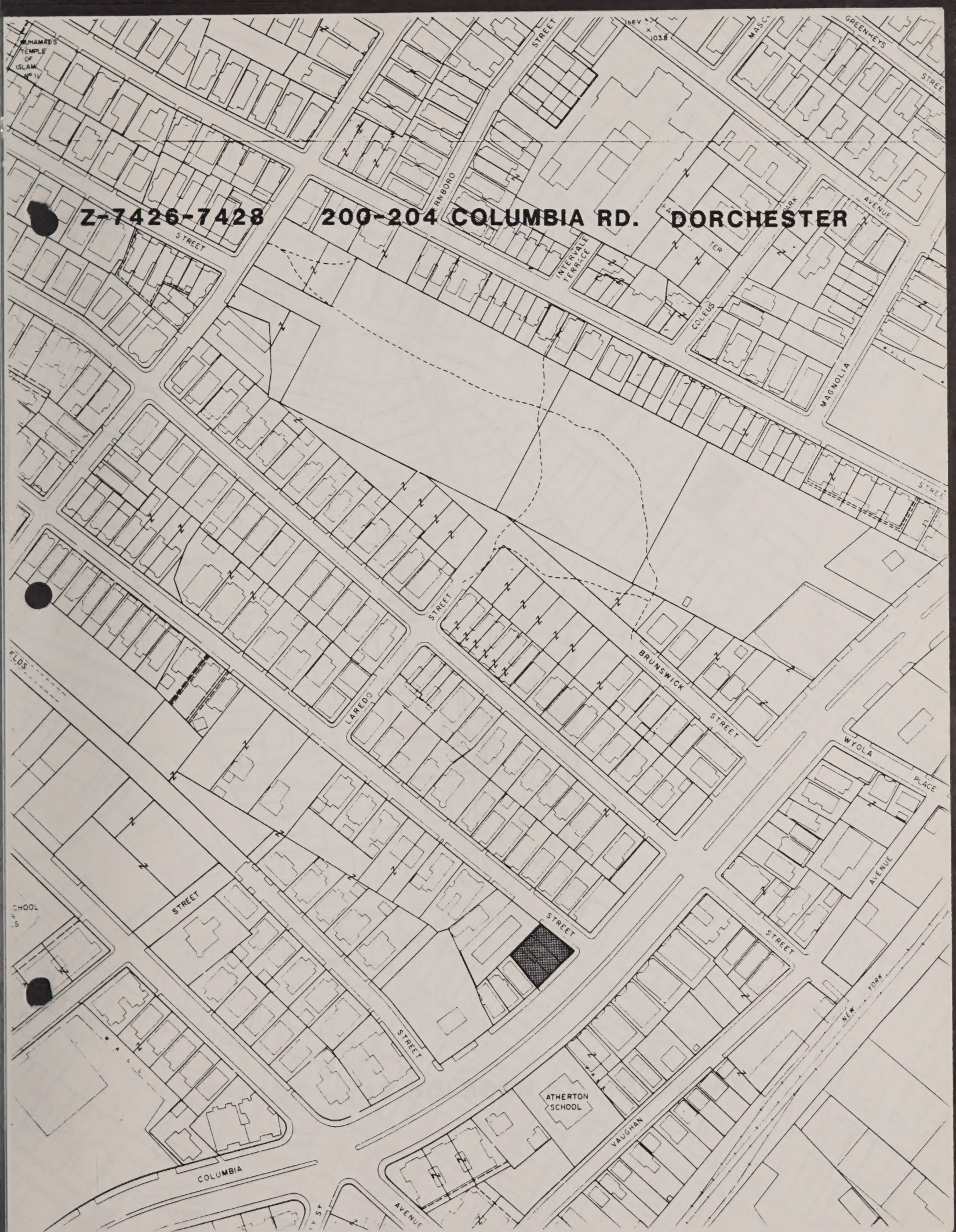
Dwelling converted for more families is forbidden use.

Lot area, open space, and off-street parking are insufficient.

Floor area ratio and height of building are excessive.

Blighted structures will be significantly improved and restored to productive occupancy. This is a positive effort to provide low- and moderate-income housing through rehabilitation of existing structures. Development will be funded by Boston Housing Partnership, Inc., and MHFA. It is recommended that appellant develop a parking plan to accommodate their future rehabilitation plans in this area. Recommend approval with proviso.

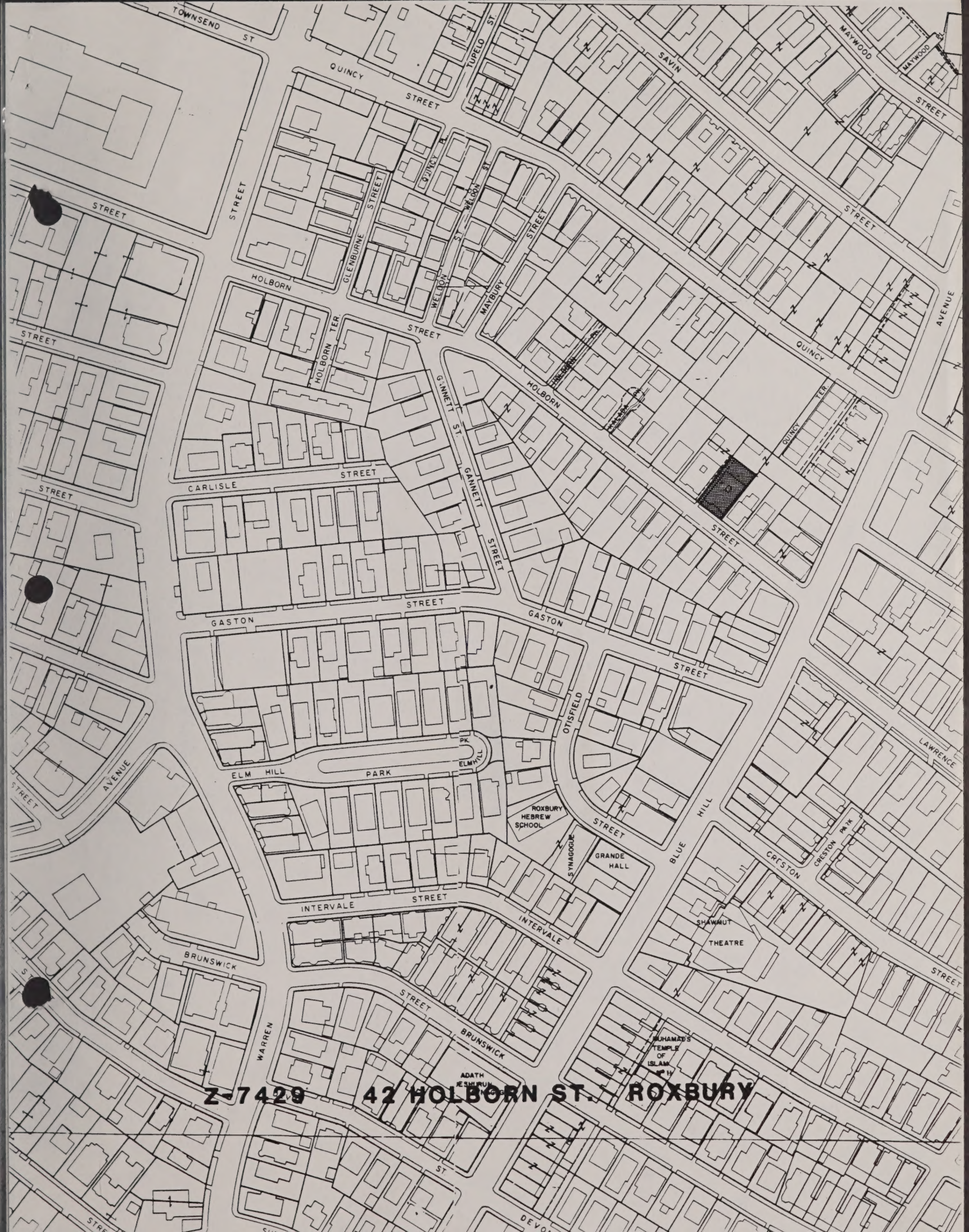
VOTED: In reference to petitions Z-7426-7429, Quincy-Geneva Housing Corp., 200-204 Columbia Road, Dorchester, and 42 Holborn Street, Roxbury, for four forbidden uses and seventeen variances for changes of occupancy from three and five apartments and store to six apartments, from four to five apartments, and from six to nine apartments in apartment (H-1) and residential (R-.8) districts, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Authority recommends that the appellant develop a parking plan to accommodate their future rehabilitation plans in this area. The Authority supports this proposal as a positive effort to provide low- and moderate-income housing through rehabilitation of existing structures.



Z-7426-7428

200-204 COLUMBIA RD. DORCHESTER

**ATHERTON
SCHOOL**



Z-7429

42 HOLBORN ST.

ROXBURY

